

involving this much money, will be debated in the dead of night in such a limited time frame.

Mr. Speaker, this bill should not be here at all this week.

REQUEST FOR CONSIDERATION OF AMENDMENT NO. 2-2 OUT OF ORDER DURING CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole resumes consideration of the bill H.R. 1555 pursuant to House Resolution 207 on the legislative day of August 3, 1995, it shall be in order to consider the amendment numbered 2-2 in House Report 104-223 notwithstanding earlier consideration of the amendment numbered 2-3 in that report on the legislative day of August 2, 1995.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. BARTON of Texas. Reserving the right to object, Mr. Speaker, could I inquire of the distinguished ranking member of the Committee on Commerce if that means that the debate on the Conyers amendment would not be tonight, but would be tomorrow? Is that the intent of the gentleman's unanimous-consent request?

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman is correct.

Mr. BARTON of Texas. Mr. Speaker, Further reserving the right to object, I had asked for the same consideration. I am supporting the Stupak amendment, which is only 10 minutes of debate time, and it asks for the same consideration. The gentleman from Colorado [Mr. SCHAEFER], the gentleman from Michigan [Mr. STUPAK], and myself are in continuing negotiations, and it is quite likely that we would have an agreement so that there would not have to be even a vote on that amendment, and I was told that we could not do that.

Well, if we cannot do that, I am going to object to the gentleman from Michigan doing it.

Now if we can get unanimous consent that our little 10-minute debate can also be tomorrow, then I will not object.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, if the gentleman would permit, that has been discussed with the gentleman from Michigan [Mr. CONYERS]. He feels no objection. I have discussed it with other members of the committee and other Members managing the legislation. This meets the approval of the leadership on the Republican side.

I would urge the gentleman to go along. It does not prejudice the gen-

tleman from Michigan [Mr. STUPAK], who happens to be a very close friend and comes from the same State I do.

Mr. BARTON of Texas. If we could get agreement that the Stupak amendment, which is only 10 minutes of debate, could be tomorrow, then I will withdraw my reservation of objection.

Mr. DINGELL. Mr. Speaker, if the gentleman would yield, I have no objection to the gentleman making that unanimous-consent request.

Mr. HYDE. Mr. Speaker, if the gentleman will yield, the gentleman from Philadelphia, Pennsylvania [Mr. FATTAH] is just about to make a privileged motion.

Now we are going to get along here, we are going to have unanimous-consents, we are going to try and move along. Many of us share the discomfort of the hour. But look. We want to get out on our recess, but is the gentleman going to move to adjourn, because if so, it is going to be difficult to agree to much around here.

So, I do not know if the gentleman wishes to disclose what his privileged motion is, but I suspect it is going to be to adjourn.

Mr. BARTON of Texas. Mr. Speaker, I am not sure of the parliamentary procedure, but, if I have the right, I would ask that the Dingell unanimous-consent request be amended so that the Stupak amendment will also be rolled until tomorrow.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, would the gentleman withhold his unanimous-consent request and let me make mine?

The SPEAKER pro tempore. The Chair will entertain one unanimous-consent request at this time.

Mr. BARTON of Texas. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. BRYANT of Texas. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman what the purpose of wanting to change the order of consideration of the amendments is. Is he concerned that no one will be here to pay attention to the Conyers amendment if the unanimous-consent request is not granted?

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman from Michigan [Mr. CONYERS] had indicated he wishes to do business with his amendment tomorrow. I think that is a fine idea, and I would like to see him have that opportunity.

Mr. BRYANT of Texas. Where is the gentleman from Michigan [Mr. CONYERS], and why is he not making this request?

Mr. DINGELL. It just so happens, I will inform the gentleman, that I am, according to what I understand, the manager of the bill on this side, and I am simply trying to proceed and carry out those functions.

Mr. BRYANT of Texas. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MOTION TO ADJOURN

Mr. FATTAH. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. FATTAH moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. FATTAH].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. FATTAH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were ayes 89, noes 216, not voting 129, as follows:

[Roll No. 617]

AYES—89

Ackerman	Hilliard	Mink
Baldacci	Hinchey	Mollohan
Becerra	Jackson-Lee	Nadler
Berman	Jacobs	Neal
Bishop	Jefferson	Obey
Brown (CA)	Kaptur	Orton
Brown (OH)	Kennedy (MA)	Owens
Bryant (TX)	Kennedy (RI)	Pallone
Clay	Kennelly	Payne (NJ)
Conyers	Klink	Pelosi
Danner	LaFalce	Rahall
DeLauro	Lewis (GA)	Rangel
Dixon	Lofgren	Reed
Doggett	Lowey	Richardson
Durbin	Luther	Roybal-Allard
Edwards	Maloney	Rush
Engel	Markey	Sanders
Evans	Mascara	Schumer
Fattah	McCarthy	Scott
Fazio	McDermott	Serrano
Fields (LA)	McHale	Slaughter
Filner	McKinney	Spratt
Ford	McNulty	Thompson
Frank (MA)	Meehan	Torres
Furse	Meek	Tucker
Gejdenson	Menendez	Ward
Gephardt	Mfume	Waters
Gonzalez	Miller (CA)	Wise
Hastings (FL)	Mineta	Woolsey
Hayes	Minge	

NOES—216

Allard	Boucher	Coble
Armey	Brewster	Coburn
Bachus	Browder	Collins (GA)
Baessler	Brown (FL)	Condit
Baker (CA)	Bryant (TN)	Cooley
Ballenger	Bunn	Cox
Barcia	Burr	Cramer
Barr	Burton	Crane
Bartlett	Buyer	Crapo
Barton	Calvert	Creameans
Beilenson	Camp	Cubin
Bentsen	Castle	Cunningham
Bereuter	Chabot	Davis
Bliley	Chambliss	Deal
Blute	Chapman	DeLay
Boehlert	Christensen	Dickey
Boehner	Clayton	Dingell
Bonilla	Clement	Dooley
Bonior	Clyburn	Doolittle

Doyle	Johnson (CT)	Pryce
Dreier	Johnson, E. B.	Quinn
Duncan	Johnson, Sam	Riggs
Ehlers	Johnston	Rohrabacher
Ehrlich	Jones	Ros-Lehtinen
Emerson	Kasich	Royce
English	Kildee	Salmon
Eshoo	Kim	Sanford
Everett	Kingston	Sawyer
Farr	Klecza	Saxton
Fawell	Knollenberg	Scarborough
Fields (TX)	Kolbe	Schaefer
Flanagan	LaHood	Schiff
Foley	Largent	Seastrand
Forbes	Latham	Shadegg
Fowler	LaTourette	Shays
Fox	Lazio	Skeen
Franks (CT)	Leach	Skelton
Franks (NJ)	Lewis (CA)	Smith (MI)
Frelinghuysen	Lewis (KY)	Smith (NJ)
Frisa	Lightfoot	Smith (WA)
Frost	Lincoln	Solomon
Funderburk	Linder	Souder
Ganske	LoBiondo	Stearns
Geren	Longley	Stenholm
Gilchrest	Lucas	Stump
Gillmor	Manzullo	Stupak
Goodlatte	Martini	Talent
Gordon	McCollum	Tanner
Goss	McCrery	Tate
Graham	McHugh	Tauzin
Green	McInnis	Taylor (MS)
Greenwood	McIntosh	Tejeda
Gutknecht	McKeon	Thomas
Hall (TX)	Metcalf	Thornberry
Hancock	Meyers	Thornton
Hastert	Miller (FL)	Torkildsen
Hastings (WA)	Molinari	Towns
Hayworth	Morella	Trafficant
Heger	Nethercutt	Upton
Hilleary	Ney	Waldholtz
Hobson	Norwood	Walker
Hoekstra	Nussle	Walsh
Hoke	Ortiz	Watts (OK)
Holden	Oxley	Weldon (FL)
Horn	Pastor	Weldon (PA)
Hostettler	Paxon	White
Houghton	Payne (VA)	Whitfield
Hoyer	Peterson (MN)	Wicker
Hunter	Pombo	Wyden
Hyde	Porter	Wynn
Inglis	Portman	Zeliff
Istook	Poshard	Zimmer

NOT VOTING—129

Abercrombie	Goodling	Radanovich
Andrews	Gunderson	Ramstad
Archer	Gutierrez	Regula
Baker (LA)	Hall (OH)	Reynolds
Barrett (NE)	Hamilton	Rivers
Barrett (WI)	Hansen	Roberts
Bass	Harman	Roemer
Bateman	Hefley	Rogers
Bevill	Hefner	Rose
Bilbray	Heineman	Roth
Bilirakis	Hutchinson	Roukema
Bono	Johnson (SD)	Sabo
Borski	Kanjorski	Schroeder
Brownback	Kelly	Sensenbrenner
Bunning	King	Shaw
Callahan	Klug	Shuster
Canady	Lantos	Sisisky
Cardin	Laughlin	Skaggs
Chenoweth	Levin	Smith (TX)
Chrysler	Lipinski	Spence
Clinger	Livingston	Stark
Coleman	Manton	Stockman
Collins (IL)	Martinez	Stokes
Collins (MI)	Matsui	Studds
Combust	McDade	Taylor (NC)
Costello	Mica	Thurman
Coyne	Moakley	Tiahrt
de la Garza	Montgomery	Torricelli
DeFazio	Moorhead	Velazquez
Dellums	Moran	Vento
Deutsch	Murtha	Visclosky
Diaz-Balart	Myers	Volkmer
Dicks	Myrick	Vucanovich
Dornan	Neumann	Wamp
Dunn	Oberstar	Watt (NC)
Ensign	Olver	Waxman
Ewing	Packard	Weller
Flake	Parker	Williams
Foglietta	Peterson (FL)	Wilson
Gallely	Petri	Wolf
Gekas	Pickett	Yates
Gibbons	Pomeroy	Young (AK)
Gilman	Quillen	Young (FL)

□ 0034

Mr. MILLER of Florida changed his vote from "aye" to "no."

The motion was rejected.

The result of the vote was announced as above recorded.

REQUEST FOR PERMISSION TO CONSIDER AMENDMENT OUT OF ORDER DURING CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. BLILEY. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole resumes consideration of the bill, H.R. 1555, pursuant to House Resolution 207, on the legislative day of August 3, 1995, it shall be in order to consider the amendment numbered 2-1 and 2-2 in House Report 104-223, notwithstanding earlier consideration of the amendment 2-3 in that report on the legislative day of August 2, 1995.

Mr. BRYANT of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to explain exactly what he is attempting to do here.

Mr. BLILEY. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from Virginia.

Mr. BLILEY. Mr. Speaker, basically it would allow us today to take up the Cox-Wyden amendment after the manager's amendment. That is it.

Mr. BRYANT of Texas. Mr. Speaker, I would ask the gentleman, is there some reason for doing that?

Mr. BLILEY. Mr. Speaker, if the gentleman will continue to yield, only to save time, so that we will have less time to be consumed tomorrow evening when we return to the bill.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, it also is because the gentleman from Michigan [Mr. CONYERS] would prefer to bring up his amendments tomorrow, and the gentleman from Massachusetts [Mr. MARKEY] would prefer to bring up his amendments tomorrow. This would facilitate the business of the House, and also is an accommodation to the Members.

Mr. BRYANT of Texas. Mr. Speaker, I wonder if the gentleman would respond, if I might yield to him further, why these gentlemen want to take their amendments up tomorrow instead of the middle of the night like all of the other amendments?

Mr. STUPAK. Mr. Speaker, if the gentleman will yield, on my amendment No. 2-1, we were very close tonight to having a final agreement on it. We worked on it for about 4 hours. We feel with a little more effort tonight and tomorrow morning, we may be able to get an agreement so we do not have to bring up my amendment tomorrow. We are trying to save the time tonight.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time under my reservation, I would just like to say that the process of bringing this up in the middle of the night is an outrage, and I will not go along with accommodating anybody. If we are going to stay here all night long, everybody can stay here all night long, and I object.

The SPEAKER pro tempore. Objection is heard.

COMMUNICATIONS ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 207 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1555.

□ 0038

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1555) to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies, with Mr. KOLBE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Virginia [Mr. BLILEY] will be recognized for 22½ minutes, the gentleman from Michigan [Mr. DINGELL] will be recognized for 22½ minutes, the gentleman from Illinois [Mr. HYDE] will be recognized for 22½ minutes, and the gentleman from Michigan [Mr. CONYERS] will be recognized for 22½ minutes.

The Chair recognizes the gentleman from Virginia [Mr. BLILEY].

PARLIAMENTARY INQUIRY

Mr. FIELDS of Louisiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FIELDS of Louisiana. Mr. Chairman, does the chair expect to take any more recorded votes tonight? Will we roll votes until tomorrow morning? There are many Members who wish to know the answer to that question.

The CHAIRMAN. The Chair cannot anticipate whether or not votes will be required this evening.

Mr. FIELDS of Louisiana. Can the Chair roll votes until tomorrow morning if it is not a privileged motion?

The CHAIRMAN. Under the rule, the Chair has the authority to postpone requests for recorded votes on the amendments, which is the intention of the Chair, but not on other motions.

Mr. FIELDS of Louisiana. Will the Chair exercise the prerogative to roll votes?

The CHAIRMAN. It is the intention of the Chair to postpone votes on amendments until tomorrow.